ORDER RECEIVED FOR FILING

IN RE: PETITION FOR VARIANCE

W/S Ridge Road, 1,650' S of the c/l

Old Court Road

(2908 - 2910 Ridge Road)

2nd Election District

1st Council District

Joseph V. Miller, et ux Petitioners * BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 01-361-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Joseph V. and Jenette C. Miller, and their daughter and son-in-law, Teresa and Jerry Tasker. The Petitioners seek relief from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 20 feet on both sides in lieu of the required 35 feet for a proposed single family dwelling. The subject property and relief requested are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Joseph and Jenette Miller, and Jerry and Teresa Tasker. There were no Protestants or other interested persons present.

Testimony and evidence presented revealed that the subject property consists of a gross area of 3.61 acres, more or less, zoned R.C.2, and is improved with a single family dwelling known as 2908 Ridge Road. The property is an "L" shaped parcel, with limited frontage along the Ridge Road; however, the property has an expanded width across the rear. The rear of the site is wooded and contains a forest buffer easement area, and abuts a stream.

Mr. & Mrs. Miller are desirous of subdividing their property to create two lots and conveying one lot to their daughter, Teresa Tasker, and her husband, Jerry Tasker. The proposed lot to be conveyed will be hereinafter known as Lot 2, and will contain 1.27 acres in area. Lot 2 will be approximately 116 feet wide along its frontage on Ridge Road, and approximately 109 feet wide along the rear property line. Lot 1 will be retained by Mr. & Mrs. Miller and consist of the remaining 2.34 acres and the existing

ORDER RECENTEDFOR FILING
Date

By

improvements. Lot 1 will be approximately 148 feet wide along its frontage on Ridge Road, and approximately 335 feet wide along the rear property line. Both lots are permissible under the R.C.2 zoning regulations insofar as density and area. However, variance relief is necessary for the proposed dwelling to be constructed on Lot 2. In this regard, Mr. & Mrs. Tasker indicated that they anticipate constructing a modular ranch-style home on the property. Because of the narrow width of the lot, relief is requested to permit 20-foot side yard setbacks in lieu of the required 35 feet. Testimony indicated that the nearest adjacent dwelling to the south of the proposed house is the Miller home and, obviously, they are not opposed to the request. To the north, an area of woods and wetlands separates the property from the nearest dwelling, which is apparently located a substantial distance away.

Based upon the testimony and evidence offered, I am persuaded to grant the relief requested. The uniqueness of this lot is its narrow width and the environmental site constraints associated therewith. Thus, the Petitioners would suffer a practical difficulty if variance relief were denied. Moreover, I am persuaded that there will be no adverse impact on adjacent properties.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of May, 2001 that the Petition for Variance seeking relief from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 20 feet on both sides in lieu of the required 35 feet for a proposed single family dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386 Fax: 410-887-3468

May 9, 2001

Mr. & Mrs. Joseph V. Miller 2908 Ridge Road Baltimore, Maryland 21244-1044

RE: PETITION FOR VARIANCE

W/S Ridge Road, 1,650' S of the c/l Old Court Road (2908 – 2910 Ridge Road)

2nd Election District – 1st Council District

Joseph V. Miller, et ux - Petitioners

Case No. 01-361-A

Dear Mr. & Mrs. Miller:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LÁWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

Mr. & Mrs. Jerry Tasker cc: 2903 Ridge Road, Baltimore, Md. 21244-1044 People's Counsel; Case File



Petition for Variance

to the Zoning Commissioner of Baltimore County Lot

for the property located at 2908-2910 RIDGE ROAD which is presently zoned RCZ

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 A O 1 3 B 3 (BCZR) to permit

a proposed single family dwelling with side yard setbacks of 20 feet in both sides in lieu of the required 35 feet.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) TE BE DISCUSSED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Contract Purchaser/Lessee: TERESA TASKER-July Color Name - Type of Print Signature 2903 PIDGE RD. 410-655-9683 Telephone No. BALTO . CD. MD. ZIZAA · IOAA City State Zip Code Attorney For Petitioner: Name - Type of Print Signature Company Address Telephone No. State Zip Code Case No. 01-361-A

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

JOSEPH IN MULLER

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING Reviewed By JUP/DD

Legal Owner(s):

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Name Type or Print	22. 21
x tough //	M. III.
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Aduante -	_
2908 RIDGE R	20.410-655-7725
Address	Telephone No.
BAITO. CO.MO.	21711-1041
<i>BALTO . CO . MO .</i> City	State Zip Code
Representative to be Co	ntacted:
1011.10 11-11-	
VOHN C. ME//E/	MA SK. INC.
	- 4.5 - 45 - 45
5409 EAST DA	P 410.247-7488
Address	Telephone No.
BALTO. Co. MO.	21227
City	State Zip Code
OFFICE US	FONIY
<u> </u>	<u> </u>



John C. Mellema, Pr. Inc.

5409 East Drive Baltimore, MD 21227

(410) 247-7488 Fax (410) 247-2507

ZONING DESCRIPTION FOR #2908 RIDGE ROAD (LOT 1) AND 2910 RIDGE ROAD (LOT 2)

ON THE WEST SIDE

50UTH BEGINNING FOR THE SAME AT A POINT IN RIDGE ROAD 1650 FEET MORE OR LESS FROM OLD COURT ROAD, THENCE RUNNING IN A SOUTHERLY DIRECTION WITH SAID ROAD FOR A DISTANCE OF 264 FEET MORE OR LESS, THENCE LEAVING SAID ROAD AND RUNNING IN A WESTERLY DIRECTION 242 FEET MORE OR LESS, THENCE SOUTHERLY 180 FETT MORE OR LESS, THENCE WESTERLY 165 FEET MORE OR LESS, THENCE NORTHERLY 444 FEET MORE OR LESS, THENCE EASTERLY 507 FEET MORE OR LESS TO THE PLACE OF BEGINNING CONTAINING 3.6 ACRES OF LAND MORE OR LESS. 2ND ELECTION DISTRICT, IST COUNCIL MANK DISTRICT

BEING THE SAME LAND DESCRIBED IN A DEED DATED FEBRUARY 28, 1968, RECORDED IN BALTIMORE COUNTY, MARYLAND IN DEED LIBER 4852 FOLIO 465 ALSO BEING KNOWN AS #2908 RIDGE ROAD & 2910 RIDGE ROAD

OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No. 93031	
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NOTICE OF ZONING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson. Maryland on the property identified herein as follows:

Case. #01-361-A
2910 Ridge Road (Lot 2)
W/S of Ridge Road, 1650'S
of Old Court Road
2nd Election District
1st Councilmante District
Legal Owner(s). Jenstie C. &
Joseph V. Miller
Contract Purchaser. Teresa &
Jen's Tasker.
Varfance: to permit a proposed single family dwelling
with side yard setbacks of
20 feet on both sides in lieu
of the required 35 feet asch.
Hearing: Friday, April .27,
2001 at 11:100 a.m. in
Room 407, County Courts
Builting, 401 Boşlisy. Ave.

LAWRENCE E. SCHMIDT Zoning Commissioner for Battimore County NOTES. (1) Hearings are Handicapped Accessibilis for special accommodations Please Contact the Zoning Commissioner's Office at C410) 887-4386

(17) 607-1207 (2) For information concerning the File and/or Hearing, Contact the Zonling Hearing, Contact the Zonling Hearing, Contact the Zonling 3391. (410) 897 (4118 April 12 C462110

CERTIFICATE OF PUBLICATION

4/13/.200

THIS IS TO CERTIFY, that the annexed advertisement was published

in the following weekly newspaper published in Baltimore County, Md., once in each of _____ successive weeks, the first publication appearing

on 4/12 ,2001.

The Jeffersonian

☐ Arbutus Times

☐ Catonsville Times

☐ Towson Times

Owings Mills Times

☐ NE Booster/Reporter

☐ North County News

LEGAL ADVERTISING

CERTIFICATE OF POSTING

cert.doc

	RE: Case No.: $0 - 36 - A$
	Petitioner/Developer:
	TERESA & JENRY TASKER
	Date of Hearing/Closing: 4-77-0
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	• • • • • • • • • • • • • • • • • • •
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	•
were posted conspicuously on the property lo	cated at [LOTZ]
The sign(s) were posted on APAL	(Month, Day, Year)
	Sincerely,
	Darland DE lovie
	(Signature of Sign Poster and Date)
	CTARLAND E. MOORE
	(Printed Name) 3775 RYERSON (CINCLE
	(Address)
	BACTIMONE, Mp. 21275
	(City, State, Zip Code)
•	<u>(410) 247-4763</u>
	(Telephone Number)

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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number:
Petitioner: MILLER
Address or Location: 2908-2910 RIDGE ROAD
PLEASE FORWARD ADVERTISING BILL TO:
Name: TERESA TASKER
Address: <u>2903 </u>
BALTO. CO. MD. 21244-1044
Telephone Number: 410 · 655 · 9683

TO: PATUXENT PUBLISHING COMPANY

Thursday, April 12, 2001 Issue – Jeffersonian

Please forward billing to:

Teresa Tasker 2903 Ridge Road Baltimore MD 21244

410 655-9683

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-361-A 2910 Ridge Road (Lot 2)

W/S of Ridge Road, 1650' S of Old Court Road 2nd Election District – 1st Councilmanic District Legal Owners: Jenette C & Joseph V Miller Contract Purchaser: Teresa & Jerry Tasker

Variance to permit a proposed single family dwelling with side yard setbacks of 20 feet on both sides in lieu of the required 35 feet each.

HEARING:

Friday, April 27, 2001 at 11:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

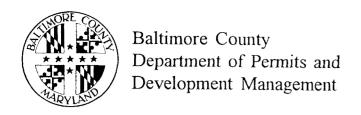
LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

G) Z

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

> (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

March 28, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-361-A
2910 Ridge Road (Lot 2)
W/S of Ridge Road, 1650' S of Old Court Road
2nd Election District – 1st Councilmanic District
Legal Owners: Jenette C & Joseph V Miller
Contract Purchaser: Teresa & Jerry Tasker

<u>Variance</u> to permit a proposed single family dwelling with side yard setbacks of 20 feet on both sides in lieu of the required 35 feet each.

HEARING: Friday, April 27, 2001 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

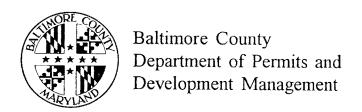
Arnold Jablon Director

C: Jenette C & Joseph V Miller, 2908 Ridge Road, Baltimore 21244 Teresa & Jerry Tasker, 2903 Ridge Road, Baltimore 21244 John C Mellema Sr Inc, 5409 East Drive, Baltimore 21227

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, APRIL 12, 2001.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

April 20, 2001

Jenette C & Joseph V Miller 2908 Ridge Road Baltimore MD 21244

Dear Mr. & Mrs. Miller:

RE: Case Number: 01-361-A, 2908 - 2910 Ridge Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 14, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr. GDC Supervisor, Zoning Review

W. Carl Richards, J.

WCR: gdz

Enclosures

c: Teresa & Jerry Tasker, 2903 Ridge Road, Baltimore 21244 John C Mellema Sr, 5409 East Drive, Baltimore 21227 People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: March 26, 2001

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 01-357 and 361

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/JL:MAC



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

March 22, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 26, 2001

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

357, 358, 359, 361, 362, 363

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: April 5, 2001

Department of Permits & Development Mgmt.

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 2, 2001

Item Nos. 357, 358, 361, 362, and 363

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date:

3.26-01

Ms. Ronnay Jackson Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

Baltimore County

Item No. 361

Dear. Ms. Jackson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

P. J. Dell

/~ Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley My

DATE:

March 30, 2001

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of March 26, 2001

DEPRM has no comments for the following zoning petitions:

Item #	Address
357	8 Turk Garth
358	1017 Windsor Road
360	Rossville Boulevard and Pulaski Highway
361	2910 Ridge Road
363	405 Crisfield Road

RE: PETITION FOR VARIANCE 2908-2910 Ridge Road, W/S Ridge Rd, 1650' S of Old Court Rd 2nd Election District, 1st Councilmanic

Legal Owner: Joseph V. & Jenette C. Miller Contract Purchaser: Jerry & Teresa Tasker Petitioner(s)

- * BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * Case No. 01-361-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Oter Max Timmernan

arble S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel Old Courthouse, Room 47

400 Washington Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of April, 2001 a copy of the foregoing Entry of Appearance was mailed to John Mellema, 5409 East Drive, Baltimore, MD 21227, representative for Petitioners.

PETER MAX ZIMMERMAN

